

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD NELSON WELK,

Petitioner,

v.

COMMONWEALTH OF
PENNSYLVANIA., et al.,

Respondents.

No. 3:12-CV-1421

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW this 21st day of August 2012, upon review of Magistrate Judge Carlson's

Report and Recommendation (Doc. 4) for plain error or manifest injustice, **IT IS HEREBY**

ORDERED that:

- (1) The Report and Recommendation (Doc. 4) is **ADOPTED**.
- (2) The Plaintiff's Motion for Leave to Proceed in forma pauperis (Doc. 2) is **GRANTED** solely for the purpose of filing this case.
- (3) The Clerk of Court is directed to **TRANSFER** this action to the United States District Court for the Eastern District of Pennsylvania , for further disposition.
- (4) The Clerk of Court is directed to **CLOSE** the case in this district.



A. Richard Caputo
United States District Judge